

### **REMARKS**

Claims 1-24 as entered in the amendment filed 12/10/05 are pending in the instant application.

#### **IDS**

Applicant submits herewith an Information Disclosure Statement and accompanying Form 1449 to satisfy the requirements of 37 C.F.R. §§ 1.56, 1.97, and 1.98. The IDS is submitted prior to a Notice of Allowance, along with the fee prescribed by 37 C.F.R. 1.97(c)(2). The Examiner is respectfully requested to consider completely the cited references in reaching a determination as to patentability of the pending claims.

#### **Double Patenting**

##### *Statutory-type Double Patenting*

Applicant acknowledges with appreciation the withdrawal of the previous rejection under 35 U.S.C. § 101 for statutory type double patenting.

##### *Obviousness-type Double Patenting*

The Examiner rejects claims 1-24 under the judicially created doctrine of obviousness-type double patenting. According to the Examiner, claims 1-24 of the instant application are not patentably distinct from claims 1-24 of U.S. Patent No. 6,238,922. *See* Office Action at p. 3.

Applicant files herewith a terminal disclaimer under 37 C.F.R. § 1.321(c) and the corresponding fee. Reconsideration and withdrawal of the rejection is requested..

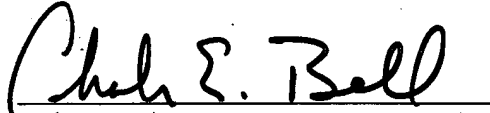
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**CONCLUSION**

On the basis of the foregoing remarks and submission of the terminal disclaimer, Applicant respectfully submits that the pending claims are in condition for allowance. If there are any questions regarding this application, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Dated: July 8, 2005

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Charles E. Bell", is written over a horizontal line.

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